

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
EVANSVILLE DIVISION

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	3:17-cr-00030-RLY-MPB
	)	
MAURICE D. GARDNER,	)	-01
	)	
Defendant.	)	

**ORDER DENYING MOTION TO SET A SUPPRESSION HEARING**

Defendant, Maurice D. Gardner, filed a motion to set a suppression hearing. The grounds for his motion state simply:

As grounds for said Motion, Movant states that the Initial [sic] stop, seizure, detention, and subsequent search of the Defendant was warrantless, lacked probable cause and/or reasonable articulable suspicion and therefore violated Defendant's constitutional rights. All evidence including statements, drugs, and the firearm procured thereafter would be considered "fruit of the poisonous tree" and should be suppressed.

(Filing No. 57, Motion at 1).


Federal district courts do not grant evidentiary hearings on motions to suppress as a matter of course. *United States v. Coleman*, 149 F.3d 674, 677 (7th Cir. 1998).

"Evidentiary hearings are warranted only when the allegations and moving papers are sufficiently definite, specific, and non-conjectural and detailed enough to enable the court to conclude that a substantial claim is presented and that there are disputed issues of material fact which will affect the outcome of the motion." *Id.* Here, Defendant has presented no facts which justify relief. He simply states that he was stopped and detained

without reasonable suspicion and/or probable cause and searched without a warrant.

Without more, the court must **DENY** Defendant's Motion to Set a Suppression Hearing (Filing No. 57).

**SO ORDERED** this 11th day of June 2019.



RICHARD L. YOUNG, JUDGE  
United States District Court  
Southern District of Indiana

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